



# Department of Justice

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## **PRESS RELEASE**

Albany, New York —United States Attorney Richard S. Hartunian and Patrick Coultry, Resident Agent in Charge of the U.S. Immigration and Customs Enforcement (ICE) Office of Investigations, Albany, Department of Homeland Security, announced that JOSHUA STANFIL, age 24, of Schenectady, New York, pled guilty in United States District Court in Albany before the Honorable David N. Hurd to Count One of an Indictment charging him with the receipt of child pornography between about August 2004 and July 23, 2009.

In connection with his plea, STANFIL admitted the following during his plea proceedings:

Between about August, 2004 and July 23, 2009, STANFIL, while in his residence, used a Dell XPS desktop computer, serial no. J8OPLC1 to access the internet. While on the internet STANFIL downloaded and installed a file sharing program called "Limewire" onto said computer. Limewire is known as a Peer-to-Peer file sharing program and it allows internet users to trade and receive digital files from other users of computers with the same file sharing program.

While surfing the internet and visiting various websites or while using the Limewire program, STANFIL obtained several electronic files containing still images and videos depicting minors engaged in sexually explicit conduct. STANFIL then downloaded some of these still images and videos to the aforementioned computer wherein he would ultimately save the electronic files.

Investigators identified the IP address assigned to the defendant's internet account with Time Warner Cable. Investigators further identified that the defendant, through the use of the Limewire file sharing software, had placed several video files depicting minors engaged in sexually explicit conduct in his "shared" folder, thereby permitting other Limewire users seeking child pornography to receive child pornography from STANFIL. On July 23, 2009 investigators executed a search warrant at the Defendant's residence. The aforementioned Dell desktop computer along with other electronic items were seized and searched.

A forensic examination of the aforementioned Dell desktop computer, which belonged to the Defendant, was subsequently conducted. Approximately 28 movie files and 84 still image files which depict minors engaged in sexually explicit conduct, as those terms and phrases are defined in Title 18, United States Code, Section 2256(2), were recovered from said computer. Said images depict individuals under the age of 18 engaged in, among other things, vaginal sex, oral sex, masturbation and the lascivious exhibition of the genitals and pubic area. All of the images recovered depict actual, as opposed to computer generated, images of minors engaged in such conduct. A number of these images depict prepubescent minors engaged in such conduct.

STANFIL knowingly and willfully received and possessed the aforesaid images. He also received, downloaded and possessed these images knowing that they depict minors engaged in sexually explicit conduct. All of these images had either been transported in interstate or foreign commerce or were produced using materials that had been mailed, shipped or transported in interstate or foreign commerce. STANFIL obtained such images from, among other places, individuals and websites located outside the State of New York. Moreover, such images, and the actual computer used to obtain and download these depictions, were transported in interstate and foreign commerce and were produced using materials that had been mailed, or shipped or transported in interstate and foreign commerce. STANFIL also acknowledges that said computer was used to commit and promote the commission of the offense found in Section 2252A(a)(2) of Title 18 which is charged in the Indictment.

On July 23, 2009, STANFIL was interviewed by law enforcement officials. During this interview, he stated, among other things, that:

1. He used the aforesaid computer to search for and access child pornography on the internet;
2. That while on the internet he visited websites or used file sharing software to receive, download and save child pornography to his computer;
3. He looked at child pornography for sexual gratification; and
4. That he had been downloading and viewing child pornography for about three to four years.

Sentencing was scheduled by Judge Hurd for September 24, 2010, at 2 p.m. in U.S. District Court in Utica, New York. STANFIL faces a maximum penalty of 20 years imprisonment, with a mandatory minimum of five years, and a fine of up to \$250,000.00.

The case was investigated by the Department of Homeland Security, U.S. Immigration and Customs Enforcement, Office of Investigations in Albany, New York.

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